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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

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Laura B Gillis

Plaintiff(s),

Amazon.com Inc

Defendant(s).

CASE NO. 2:22-cv-00803-JCC
[to be filled in by Clerk's Office]

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

Jury Trial: Yes No

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I. THE PARTIES TO THIS COMPLAINT

8

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Laura B Gillis
Street Address	6710 Lindsay Ave SE
City and County	Auburn, King County
State and Zip Code	Washington, 98092
Telephone Number	(210)347-3990

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1 B. Defendant(s)

2 *Provide the information below for each defendant named in the complaint, whether the*
3 *defendant is an individual, a government agency, an organization, or a corporation. For an*
4 *individual defendant, include the person's job or title (if known). Attach additional pages if*
needed.

4 Defendant No. 1

5 Name	Amazon.com Inc
6 Job or Title (<i>if known</i>)	Corporation
7 Street Address	410 Terry Ave N
8 City and County	Seattle, King County
9 State and Zip Code	Washington, 98109
Telephone Number	(206)266-1000

10 Defendant No. 2

11 Name	
12 Job or Title (<i>if known</i>)	
13 Street Address	
14 City and County	
15 State and Zip Code	
16 Telephone Number	

17 Defendant No. 3

18 Name	
19 Job or Title (<i>if known</i>)	
20 Street Address	
21 City and County	
22 State and Zip Code	
23 Telephone Number	

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1 Defendant No. 4

2 Name _____

3 Job or Title (*if known*) _____

4 Street Address _____

5 City and County _____

6 State and Zip Code _____

Telephone Number _____

7 C. Place of Employment

8 The address at which I sought employment or was employed by the defendant(s) is:

10 Name	Amazon Fulfillment Center BFI4
11 Street Address	21005 64 th Ave S
12 City and County	Kent, King County
13 State and Zip Code	Washington, 98032
14 Telephone Number	(206)266-1000
15 Name	Amazon Fulfillment Center BFI9
16 Street Address	3020 International Pl
City and County	DuPont, Pierce County
State and Zip Code	Washington, 98327
Telephone Number	(206)266-1000

17 **II. BASIS FOR JURISDICTION**

18 This action is brought for discrimination in employment pursuant to (*check all that*
19 *apply*):

20
21 Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e
to 2000e-17 (race, color, gender, religion, national origin).

22 *(Note: In order to bring suit in federal district court under Title VII, you*
23 *must first obtain a Notice of Right to Sue letter from the Equal*
Employment Opportunity Commission.)

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Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

Other federal law (*specify the federal law*):

Relevant state law (*specify, if known*):

Relevant city or county law (*specify, if known*):

III. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

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1 1. Defendant refused Plaintiff's request for reasonable accommodations
2 because Defendant's requirements for accommodations do not account for fluid
3 disabilities that manifest differently over time such as Bipolar 1 Disorder Rapid
4 Cycling.

5 2. Defendant allowed for Plaintiff to be discriminated against by members of
6 Management and Departments based on assumptions of Plaintiff's disability,
7 justifying their behavior because they were following Defendant's Policies and
8 Procedures.

9 3. Defendant's Policies and Procedures required by Departments to follow
10 concerning how employees are terminated discriminated against Plaintiff by not
11 taking into account Plaintiff's disability and need for essential medication to
12 protect the Plaintiff's mental health and allow her to participate in her own
13 termination process.

14
15 B. The discriminatory conduct of which I complain in this action includes (*check all that*
16 *apply*):

17 Failure to hire me.
18 Termination of my employment.
19 Failure to promote me.
20 Failure to accommodate my disability.
21 Unequal terms and conditions of my employment.
22 Retaliation.
23 Other acts (*specify*): _____

24
25 C. It is my best recollection that the alleged discriminatory acts occurred on date(s)
26 Various and numerous dates beginning in July 2021 and ending about November 13,
27
28 2021

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1 D. I believe that defendant(s) (*check one*):

2 is/are still committing these acts against me.
3 is/are not still committing these acts against me.

4 E. Defendant(s) discriminated against me based on my (*check all that apply and explain*):

5 race _____
6 color _____
7 gender/sex _____
8 religion _____
9 national origin _____
10 age (*year of birth*) _____ *(only when asserting
a claim of age
discrimination.)*
11 disability or perceived disability (*specify disability*)
12 Bipolar 1 Disorder Rapid Cycling

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1 F. The facts of my case are as follows. Attach additional pages if needed.

2 1. In the spring of 2021 Plaintiff was trained to perform the job of water
3 spider at Amazon Fulfillment Center BFI4 in Kent, Washington.

4 2. On or about the beginning of June 2021, Plaintiff informed her Area
5 Manager, Shamur and the Defendant's on-site Human Resource Department of
6 her Bipolar 1 Disorder Rapid Cycling Disability and how the water spider job was
7 a very helpful tool in stabilizing Plaintiff's Bipolar cycling.

8 3. Defendant's policies limited the weekly number of hours an Amazon
9 Associate could perform water spider duties.

10 4. Plaintiff started the process of requesting reasonable accommodations in
11 the form of removing those hourly limitations.

12 5. In June Defendant's on-site HR representatives provided the Plaintiff with
13 the documents the Defendant requires associates to fill out and submit to the
14 Disability and Leave Services (DLS) of the Employee Resource Center (ERC).
15 This department handles the Defendant's employee's sensitive medical
16 information and then works with on-site Human Resources (HR) on setting up the
17 appropriate accommodations.

18 6. Plaintiff submitted Employee Questionnaire through the Defendant's
19 Employee AtoZ App and made appointments to visit both her Psychiatrist, Dr J.
20 Daniel Wanwig , and Primary Care Physician, Dr Nicola Walker, for the purpose
21 of having the remaining documents filled out, signed and submitted to the DLS.
22 Both of these appointments resulted in the same conclusion, that the required
23 documentation did not apply to Plaintiff's Bipolar disability because the
24 documents focused on static physical impairments.

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1 7. Throughout the months of July and August of 2021, Plaintiff had several
2 phone and email communications with Melodie Heft, ShannAn Soward and
3 SheLia Caldwell from the DLS department of the ERC concerning the reason why
4 Plaintiff could not provide the documents. Plaintiff submitted both a letter from
5 Dr Walker and a Release of Information Request allowing Amazon
6 representatives to speak directly to Dr Walker regarding the need for
7 accommodations and reasons why the documents were not appropriate for
8 Plaintiffs disability. DLS contacted Dr Walker and she responded on August 3rd.

9 8. On September 11, 2021 Plaintiff spoke with Jose Luevano from DLS. He
10 informed Plaintiff she had been provided the incorrect accommodation forms and
11 Mr Luevano emailed Plaintiff the form for Cognitive Behavior disabilities. This
12 form also could not be applied to Plaintiff's disability because the Plaintiff is a
13 rapid cycler and the form focused on static disabilities.

14 9. The process had become too difficult for Plaintiff to continue to pursue.
15 The difficulty level of receiving the requested accommodations affected the speed
16 of Plaintiff's cycling. Plaintiff decided to pause the process and try again in the
17 future.

18 10. Plaintiff was terminated before restarting her efforts and was never
19 granted her request for reasonable accommodations.

20 11. On or about June 10, 2021 Plaintiff supported her friend in filing a sexual
21 harassment claim against another coworker.

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1 12. Plaintiff was harassed outside of BFI4 by the terminated coworker with
2 mean texts and an inappropriate and illegal picture he had taken and by his friends
3 still working at BFI4 who shared the inappropriate photo with fellow associates
4 along with spreading untrue and mean rumors within Fulfillment Center.

5 13. Plaintiff reported these incidents to Loss Prevention and on-site Human
6 Resources. Representatives from both departments informed Plaintiff there was
7 not anything they could really do but keep them informed.

8 14. Because of the hostile work environment and lack of accommodations,
9 Plaintiff requested and was given a hardship transfer on August 3, 2021 to work
10 on the inbound dock of a new Amazon facility in DuPont, Washington.

11 15. Plaintiff started work at Amazon Fulfillment Center BFI9 on August 11,
12 2021.

13 16. On or about August 18, Plaintiff informed her Area Manager, Zak
14 Habibulla, of her Bipolar Disorder and that there might be times she would not be
15 able to operate PIT equipment because of one particular medication she might
16 have to take but those times should be few and far between. The medication in
17 question very rarely caused any cognitive deficits for the Plaintiff. The issue lied
18 with the questions on the operator's checklist required to turn on and operate the
19 machine. The machine itself would not turn on if Plaintiff took a dose of this
20 medication then truthfully answered all questions.

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1 17. After this disclosure, Mr Habibulla frequently assigned Plaintiff to jobs
2 requiring Plaintiff to drive PIT equipment instead of allowing her to learn many
3 other duties performed by dock workers. This resulted in Plaintiff not knowing
4 how to perform all job duties and caused Plaintiff embarrassment when given an
5 assignment by another dock associate to do something she did not know how to
6 do.

7 18. Mr Habibulla repeatedly complimented Plaintiff on her ability to pick
8 wood up off the floor.

9 19. Other dock associates noticed or were aware of Mr Habibulla's treatment
10 of Plaintiff including but not limited to her Operations Manager (OM) and other
11 dock associates Chelsea, Devin, Yvonne, Mike and Simon.

12 20. Mr Habibulla was in charge of three dock associates, Chelsea, Devin and
13 the Plaintiff. Of the three, Plaintiff had longest tenure as an Amazon Associate,
14 Plaintiff was the only associate transferred specifically to work the dock, Plaintiff
15 was the only associate with previous Amazon dock experience and Plaintiff had
16 never had any safety violations or disciplinary actions taken against her. Another
17 dock associate had already received a write up.

18 21. On a day just prior to September 10th, 2021 Mr. Habibulla informed
19 Plaintiff she would be cross trained to work in another area of the facility.
20 Plaintiff spoke with the other two dock associates, Chelsea and Devin, and
21 learned she was the only one required to train off the dock.

22 22. Plaintiff informed Mr Habibulla of her refusal to train off the dock and
23 explained how the dock position was involved in her previous accommodation
24 requests and transfer.

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1 23. On or about September 10th, Plaintiff was called into a meeting with her
2 OM, an HR representative and a Safety representative. The HR representative
3 repeatedly insisted that Plaintiff fill out medical accommodation documents in
4 front of the representative and give them to her so she could put them on her
5 computer and send them to the ERC directly contradicting what Plaintiff had
6 previously been told about Defendant's policies handling private medical
7 information. Plaintiff repeatedly refused and insisted on sending her private
8 medical information directly to the ERC herself. Because of this refusal, Plaintiff
9 was told she would be sent home if she refused to work off the dock. The Safety
10 representative told Plaintiff she was a safety risk on the dock. Plaintiff was
11 unaware of any reasons behind safety concerns.

12 24. Before her next shift, Plaintiff filed a complaint with the day shift against
13 her OM, the HR representative and the Safety representative for the
14 inappropriateness of the meeting. Plaintiff is aware that there was a follow up but
15 unaware if Amazon took any actions concerning that complaint.

16 25. Due to the overwhelming discriminatory behavior of Mr Habibulla and the
17 events of the meeting, Plaintiff decided to transfer back to BFI4 specifically so
18 she could water spider again.

19 26. Sometime around the end of September or beginning of October 2021
20 Plaintiff returned to BFI4.

21 27. On or about November 6, 2021 Plaintiff was called into a meeting with a
22 representative from Loss Prevention and Eric, an HR representative. Plaintiff was
23 informed she had been accused of sexual harassment.

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1 28. Both Loss Prevention and Human Resources were aware of the Plaintiff's
2 Bipolar Disability, her lack of water spider accommodations, the harassment she
3 had suffered as a result of helping her friend file a sexual harassment complaint,
4 how intensely triggering the sexual harassment complaint process had been to the
5 Plaintiff and the high probability her former harassers were still employed at
6 BFI4.

7 29. Plaintiff had also confided in Eric about her treatment at BFI9 and that she
8 was taking psychiatric medication.

9 30. Plaintiff requires benzodiazepines to stabilize her brain when in highly
10 stressful situations that could trigger a manic or major depressive episode.

11 31. Plaintiff kept this medication in her car instead of with her inside the
12 fulfillment center. Plaintiff was not given the opportunity to take her medication
13 for the meeting with Loss Prevention and HR.

14 32. During the meeting Plaintiff could not focus, was confused and more than
15 once had to ask what to write down on the witness statement form.

16 33. Plaintiff was never told exactly what her offense was which denied her
17 any defense against her accuser. Plaintiff is aware of 2 employees accused of
18 sexual harassment who kept their jobs and one employee who was terminated. All
19 three of them were given specifics about their accusations and given the
20 opportunity to defend themselves. To the best of Plaintiff's knowledge, none of
21 these employees have a disability.

22 34. In the final email sent to Plaintiff from Defendant, Defendant states "All
23 policies were applied properly and consistently in this case."

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1 35. Due to these facts and Defendant's insistence that all policies were applied
 2 properly, Plaintiff believes she was discriminated against by Defendant's policies
 3 and procedures during her tenure at Amazon and during her involuntary discharge
 4 from Defendant's Amazon Fulfillment Center BFI4.

5
 6 *(Note: As additional support for the facts of your claim, you may attach to this complaint
 7 a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge
 filed with the relevant state or city human rights division.)*

8 **IV. EXHAUSTION OF FEDERAL ADMINISTRATIVE REMEDIES**

9 A. It is my best recollection that I filed a charge with the Equal Employment Opportunity
 10 Commission or my Equal Employment Opportunity counselor regarding the defendant's
 11 alleged discriminatory conduct on *(date)*

12 March 3, 2022
 13 _____
 14 _____

15 B. The Equal Employment Opportunity Commission *(check one):*

16 has not issued a Notice of Right to Sue letter.
 17 issued a Notice of Right to Sue letter, which I
 received on *(date)*
 18 March 13, 2022

19 *(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment
 Opportunity Commission to this complaint.)*

20 C. Only litigants alleging age discrimination must answer this question.

21 Since filing my charge of age discrimination with the Equal Employment Opportunity
 22 Commission regarding the defendant's alleged discriminatory conduct *(check one):*

23 60 days or more have elapsed.
 24 less than 60 days have elapsed.

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1 **V. RELIEF**

2 State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do
 3 not make legal arguments. Include any basis for claiming that the wrongs alleged are
 4 continuing at the present time. Include the amounts of any actual damages claimed for the acts
 5 alleged and the basis for these amounts. Include any punitive or exemplary damages claimed,
 6 the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

7 Plaintiff asks the court to order the Defendant to pay to Plaintiff actual damages of
 8 \$27,853.80 that include back pay, bonuses and medical expenses without health insurance.
 9 Plaintiff asks for compensatory damages of \$200,000 for pain and suffering. Due to the severe
 10 depressive episode Defendant's actions have caused and the Plaintiff's inability to afford the
 11 medical care she needs to get out of this depressive episode and regain quality of life, Plaintiff
 12 has not been able to work regularly and provide for her son who is still a minor. This amount
 13 reflects the loss of housing stability, loss of transportation, loss of ability to pay for her son's
 14 physical and mental health concerns and loss of the benefits Plaintiff's minor would have
 15 received upon her passing while she had been employed by Defendant. Plaintiff asks for punitive
 16 damages of \$1,000,000 or in an amount deemed acceptable by the court with the consideration
 17 that the Defendant's actions directly affected the Plaintiff severely enough for her to almost
 18 succumb to her mental illness. Plaintiff asks for the court to order the Defendant to allow
 19 immediate reinstatement of the Plaintiff at the same level of pay Plaintiff would have had she not
 20 been terminated and with reasonable accommodations at an AR sortable facility acceptable to
 21 both Defendant and Plaintiff.

20 **VI. CERTIFICATION AND CLOSING**

21 Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my
 22 knowledge, information, and belief that this complaint: (1) is not being presented for an improper
 23 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
 24 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or

COMPLAINT FOR EMPLOYMENT DISCRIMINATION -
14

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1 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
2 identified, will likely have evidentiary support after a reasonable opportunity for further
3 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
4 Rule 11.

5 I agree to provide the Clerk's Office with any changes to my address where case-related
6 papers may be served. I understand that my failure to keep a current address on file with the
7 Clerk's Office may result in the dismissal of my case.

8 Date of signing:

6/1/2022

9 Signature of Plaintiff

Laura B. Gillis

10 Printed Name of Plaintiff

LAURA B. GILLIS

12 Date of signing:

13 Signature of Plaintiff

14 Printed Name of Plaintiff

16 Date of signing:

17 Signature of Plaintiff

18 Printed Name of Plaintiff

EEOC Form 5 (11/09)

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION		Charge Presented To:	Agency(ies) Charge No(s):
<p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>		EEOC	551-2022-02375
		FEPA	
		Washington State Human Rights Commission	
		<i>State or local Agency, if any</i>	

harassment allegations. Respondent never notified me of the specifics of my discharge, so I was never allowed a defense, and I was denied an appeal through Respondent's appeal process. I believe this is pretext for discrimination as I am aware of similarly situated individuals that have also been accused of sexual harassment but not discharged, and individuals that have been allowed to defend and appeal their discharge. I believe I have been discriminated against based on a disability in violation of the Americans with Disabilities Act of 1990, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY – <i>When necessary for State and Local Agency Requirements</i>
I declare under penalty of perjury that the above is true and correct.	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT
Digitally Signed By: Ms. Laura B. Gillis 03/03/2022 <i>Charging Party Signature</i>	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <i>(month, day, year)</i>



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Seattle Field Office
909 First Avenue, Suite 400
Seattle, Washington, 98104
(206) 576-3000
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 03/08/2022

To: Ms. Laura B. Gillis
6710 Lindsay Ave Southeast
AUBURN, WA 98092

Charge No: 551-2022-02375

EEOC Representative and email: Shannon De Jong
Investigator
shannon.dejong@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

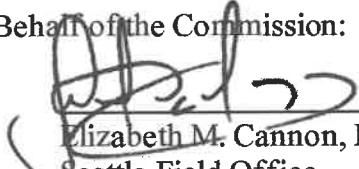
NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice**. Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 551-2022-02375.

On Behalf of the Commission:

March 8, 2022
Date


for
Elizabeth M. Cannon, Director
Seattle Field Office



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Seattle Field Office
909 First Avenue, Suite 400
Seattle, Washington, 98104
(206) 576-3000
Website: www.eeoc.gov

Cc:

Amazon Attorney
amazon@littler.com

Please retain this notice for your records.